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Docket Number (Optional)

## REISSUE APPLICATION DECLARATION BY THE INVENTOR

14079-1US-R GH/ik

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 6,028,414, granted February 22, 2000, and for which a reissue patent is sought on the invention entitled FUEL CELL STAND-BY ENERGY SUPPLY SYSTEM

the specification of which

is attached hereto.

was filed on \_\_\_\_\_ as reissue application number \_\_\_\_\_ /  
and was amended on \_\_\_\_\_  
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

by reason of a defective specification or drawing.

by reason of the patentee claiming more or less than he had the right to claim in the patent.

by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

SEE ATTACHMENT A

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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## (REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)  
14079-1US-R GH/ik

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s)	Registration Number	
ROBERT MITCHELL	25,007	KEVIN P. MURPHY 26,674
GUY J. HOULE	24,971	MICHEL SOFIA 37,017
ROBERT CARRIER	30,726	FRANCE COTE 37,037

Correspondence Address: Direct all communications about the application to:

Customer Number 020988 → Place Customer Number Bar Code Label here

Type Customer Number here

<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
City	State	Zip	
Country			
Telephone	Fax		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Jean-Guy Chouinard

Inventor's signature <i>Jean-Guy Chouinard</i>	Date <i>February 15<sup>th</sup>, 2002</i>
--	--

Residence 201 Chemin du Club Marin, Verdun	Citizenship Canadian
--	----------------------

Mailing Address 201 Chemin du Club Marin, Verdun, Quebec, Canada, H3E 1T4

Full name of second joint inventor (given name, family name)

RAYMOND ROBERGE

Inventor's signature	Date
----------------------	------

Residence 363 Louis Quevillon, Boucherville	Citizenship Canadian
---	----------------------

Mailing Address 363 Louis Quevillon, Boucherville, Quebec, Canada J4B 1E4

Full name of third joint inventor (given name, family name)

GUY ROSS

Inventor's signature <i>GUY ROSS</i>	Date <i>15 Feb 2002</i>
--------------------------------------	-------------------------

Residence 328 Mgr. Bourget, Beloeil,	Citizenship Canadian
--------------------------------------	----------------------

Mailing Address 328 Mgr. Bourget, Beloeil, Quebec, Canada J3G 3L7

 Additional joint inventors are named on separately numbered sheets attached hereto.

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## REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

14079-1US-R GH/k

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 is attached hereto.

was filed on \_\_\_\_\_ as reissue application number \_\_\_\_\_/\_\_\_\_\_  
 and was amended on \_\_\_\_\_  
 (If applicable)

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I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

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 by reason of a defective specification or drawing. by reason of the patentee claiming more or less than he had the right to claim in the patent. by reason of other errors.

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[Page 1 of 2]

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PAGE 01

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 (REISSUE APPLICATION DECLARATION BY THE INVENTOR)

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(14079-1US-R-GH/4)

All errors corrected in this reissue application are to be without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s)

ROBERT MUSCHILL  
GUY L'HOUILLIER  
ROBERT CARRIER

Registration Number

2520

41911

3016

KEVIN P. MURPHY 26624

MICHEL SOEIS 37011

FRANCESCOLE 37032

Correspondence Address: Please check one

 Customer Number

02098X

Type Customer Number here

Place Customer Number Bar  
Code Label here

<input type="checkbox"/> Firm or Individual Name	
Address	
Address	
City	
Country	
Telephone	
	Fax



APRIL 13, 1999

PTAS

SWABEY OGILVY RENAULT  
PAUL MARCOUX  
1981 MCGILL COLLEGE AVE., STE. 1600  
MONTREAL, QUEBEC CANADA H3A 2Y3

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



\*100940251A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/18/1998

REEL/FRAME: 9685/0994  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

CHOUINARD, JEAN-GUY

DOC DATE: 12/11/1998

ASSIGNOR:

ROBERGE, RAYMOND

DOC DATE: 12/11/1998

ASSIGNOR:

ROSS, GUY

DOC DATE: 12/11/1998

ASSIGNEE:

H. POWER ENTERPRISES OF CANADA  
INC.  
1069 BEGIN  
ST-LAURENT (QUEBEC) H4R 1V8, CANADA

SERIAL NUMBER: 09215266  
PATENT NUMBER:

FILING DATE: 12/18/1998  
ISSUE DATE:

9685/0994 PAGE 2

ANTIONE ROYALL, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

FORM PTO-1595  
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1-31-92  
Office

12/18/98

01-12-1999

U.S. DEPARTMENT OF

Patent and Trademark

100940251

To the Honorable Commissioner of Patents

final documents or copy thereof.

1. Name of conveying party(ies):

Jean-Guy CHOUINARD  
Raymond ROBERGE  
Guy ROSS

Additional name(s) of conveying party(ies) attached?

Yes  No

3. Nature of conveyance:

Assignment

Merger

Security Agreement

Change of Name

Other

Execution Date: December 11, 1998

2. Name of receiving party(ies):

H. POWER ENTERPRISES OF CANADA INC.

Address of receiving party(ies):

1069 Begin  
St-Laurent (Québec)  
CANADA H4R 1V8

City:

State:

ZIP:

Additional name(s)/address(es) of conveying party(ies) attached?  Yes  No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: December 11, 1998

A. Patent Application No(s).

B. Patent No(s).

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Paul Marcoux  
SWABEY OGILVY RENAULT

Address: 1981 McGill College Ave.  
Suite 1600  
Montreal, Quebec  
Canada H3A 2Y3

File No.: 14079-1 "US" GH/cb

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41): \$40.00

Enclosed

Authorized to be charged to deposit account.

8. Deposit Account number:

19-5113

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Paul Marcoux (Reg. No. 24,990)  
Name of Person Signing

Signature

Total number of pages comprising cover sheet:

December 17, 1998  
Date

3

# ASSIGNMENT OF INVENTION

## UNIVERSAL

WHEREAS, I/We Jean-Guy CHOUINARD, Raymond ROBERGE, Guy ROSS whose full post office addresses are 201, Chemin du Club Marin, Suite 1107, Verdun Québec CANADA H3E 1T4, 363 Louis Quevillon, Boucherville, Québec CANADA J4B 1E4, 328, mgr Bourget Beloeil, Québec CANADA J3G 3L7 have invented certain improvements in **Fuel Cell Stand-By Energy Supply System** and described in a patent application executed on December 13, 1998 and:

WHEREAS H Power Enterprises of Canada Inc. whose full post office address is 1069 Begin St.Laurent, Québec CANADA H4R 1V8 (hereinafter referred to as the assignee), is desirous of acquiring the entire right, title and interest in and to said invention or inventions and in and to any and all patents to be obtained therefore;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, I/We have and by these presents do hereby sell, assign and transfer unto said assignee, its successors and assigns, the entire right, title and interest in and to said invention or inventions, as described in the aforesaid application, in any form or embodiment thereof, and in and to the aforesaid application; and in and to any applications filed in any foreign country based thereon, including the right to file said foreign applications under the provisions of the International Convention; also the entire right, title and interest in and to any and all patents, reissues or extensions thereof to be obtained in this or any foreign country upon said invention or inventions, and any divisional, continuation, continuation-in-part, substitute application(s) or supplementary disclosure(s) which may be filed upon said invention or inventions, in any country; and I/We hereby authorize and request the issuing authority to issue any and all patents on said application or applications to said assignee.

I/We further agree without any payment by said assignee other than expenses incurred by the undersigned, to communicate to said assignee, its representatives or agents, any facts relating to said invention or inventions, including evidence for interference purposes or for other proceedings, whenever requested; testify in any interference, litigation or other proceedings, whenever requested; and execute and deliver, on request, all lawful papers required to make any of the foregoing provisions effective, and likewise make these provisions binding upon my/our heirs, legal representatives, administrators and assigns.

Le(s) soussigné(s) désire(nt) que la présente cession soit en anglais. The undersigned request(s) that the present assignment be in English.

SIGNED AT Montreal  
this 11 day of December, 1998.

Jean-Hugues Bourassa  
Raymond Ribeiro  
JHR

Angélique Marpau

WITNESS

File No.: 14079-1US-R GH/ik

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re Application of:

JEAN-GUY CHOUINARD ET AL

For: FUEL CELL STAND-BY  
ENERGY SUPPLY SYSTEM

Patent No.: 6,028,414

Issued: February 22, 2000

-----  
DESIGNATION OF ASSOCIATE POWER OF ATTORNEY

Assistant Commissioner for Patents  
Washington, D.C. 20231  
U.S.A.

Sir:

Please recognize the following practitioner as having Power of Attorney:  
**PETER FELFE** (Reg. No. 20,297) as associate attorney with full power to prosecute  
the captioned U.S. patent, make alterations and amendments therein, and transact all  
business in the U.S. Patent and Trademark Office connected therewith.

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<b>REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT</b>		Docket Number (Optional) 14079-IUS-R GH/ik
This is part of the application for a reissue patent based on the original patent identified below.		
Name of Patentee(s) <u>JEAN GUY CHOUINARD, RAYMOND ROBERGE, GUY ROSS</u>		
Patent Number 6,028,414	Date Patent Issued February 22, 2000	
Title of Invention FUEL CELL STAND-BY ENERGY SUPPLY SYSTEM		
<p>1. <input checked="" type="checkbox"/> Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.</p>		
<p>One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".</p> <p>The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.</p>		
<p>The assignee(s) owning an undivided interest in said original patent is/are <u>H Power Enterprises of Canada Inc.</u>, and the assignee(s) consents to the accompanying application for reissue.</p>		
<p>Name of assignee/inventor (if not assigned) H Power Enterprises of Canada Inc.</p>		
Signature 	Date <u>February 15<sup>th</sup>, 2002</u>	
Typed or printed name and title of person signing for assignee (if assigned)		

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.